

<b>STUDENT SEARCH POLICY</b>
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Date	Review Date	Contact
01.09.18	01.09.19	Principal

### **Searching with consent**

Any member of staff can search a student for any item with his/her consent.

The staff member does not need to obtain written consent. It is enough to ask the student to hand over an item, or to ask whether the staff member can look in the student's bag or room, and for the student to agree.

If the student refuses the request, the staff member can apply a suitable punishment in line with the school's behaviour policy.

A student refusing to co-operate with such a search raises the same kind of issues as where a student refuses to stay in a detention or refuses to stop any other unacceptable behaviour when instructed by a member of staff – in such circumstances, schools can apply an appropriate disciplinary penalty.

### **Searching without consent**

Only the Principal or a member of SLT can conduct a search without a student's consent.

The person conducting the search must be the same sex as the student being searched, and another staff member must be present.

There is a limited exception to the above rules. Any member of staff can carry out a search if he or she reasonably believes there is a risk that serious harm will be caused to a person if the search is not conducted immediately and another member of staff cannot be summoned.

Authorised staff members can search for certain items without a student's consent, including:

- Any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to property
- Any item banned by the school rules which has been identified in the rules as an item which may be searched for including wifi routers, alcohol, drugs, cigarettes and weapons of any kind

Searches without consent can only be carried out on the school premises or where the member of staff has lawful control or charge of a pupil, for example on school trips.

### **During a search**

- The person conducting the search may not require the student to remove any clothing other than outer clothing
- A student's possessions can only be searched in the presence of the student and another member of staff, except where there is a risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff
- Schools are able to search rooms for any item provided the student agrees. If the student does not consent, it is possible to search a room but only for prohibited items banned under school rules

### **After the search: retaining, returning and disposing of items**

Staff may retain or dispose of a student's property as a disciplinary penalty where it is reasonable to do so. For example, alcohol, fireworks, tobacco or cigarette papers may be disposed of. These items should not be returned to the student. Pornographic images may be disposed of/deleted unless an image constitutes a specified offence (i.e. it is extreme or child pornography). In these cases, it is necessary to pass images to the police. Weapons or items that are evidence of an offence must be passed to the police as soon as possible. Controlled drugs should be passed to the police unless the member of staff believes there is good reason to dispose of them.

It would not be reasonable to involve the police in dealing with stolen low-value items such as pencil cases. However, school staff may judge it appropriate to contact the police if stolen items are valuable (for example, iPads or laptops) or illegal (for example, alcohol and fireworks). All such cases must be referred to the Principal first.

There is no legal requirement to keep a record of the search. The school will inform the student's parents or guardians where alcohol, illegal drugs or potentially harmful substances are found, although there is no legal requirement to do so.

Any complaints about screening or searching should be dealt with through the school's normal complaints procedure. Newbury Hall does not currently offer staff training for conducting searches.

**Signed:**

**Date: 01/09/18**



Jon Crocker  
Principal